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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/666,253

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Hidejirou Machara

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EXAMINER

FRANKLIN, RICHARD B

ART UNIT

PAPER NUMBER

2181

DATE MAILED: 10/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/666,253	Applicant(s) MAEHARA, HIDEJIROU	
	Examiner Richard Franklin	Art Unit 2181	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 13-23, 27 and 28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 13-23, 27 and 28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Fritz Fleming
FRITZ FLEMING
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100
10/24/2006

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1 – 9, 13 – 23, and 27 – 28 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1 – 9, 13 – 23, and 27 – 28 have been considered but are moot in view of the new ground(s) of rejection. Claims 1 – 9, 13 – 23, and 27 – 28 are rejected under 35 USC 103(a) over US Patent Application Publication No. 2002/0116480 (hereinafter Muto) in view of US Patent No 6,088,125 (hereinafter Okada) further in view of US Patent No. 6,666,594 (hereinafter Parry) further in view of US Patent Application Publication No. 2003/0120775 (hereinafter York) and further in view of US Patent No. 6,622,266 (hereinafter Goddard).

Claim Rejections - 35 USC § 112 1st Paragraph

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1 – 9, 13 – 23, and 27 – 28 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The specification does not describe the addressee information selected based on the severity of the problem and the proximity of the addressee to the image reproducing apparatus. The Examiner has looked at the paragraphs of the specification that were pointed to by the Applicant in the response to the previous office action (Page 15 Line 20 – Page 6 Line 5, and Page 3 Line 17 – Page 4 Line 11). However, the Examiner does not see where addressee information is selected based on the severity of the problem **and** the proximity of the addressee to the image reproducing apparatus (emphasis added).

Claim Rejections - 35 USC § 112 2nd Paragraph

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1 – 9, 13 – 23, and 27 – 28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 13 – 15, 27, and 28 recite the limitation "*the severity* of the problem" in the body of each claim (emphasis added). There is insufficient antecedent basis for this limitation in the claim.

Claims 1, 13 – 15, 27, and 28 recite the limitation "*the proximity* of the addressee" in the body of each claim (emphasis added). There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1 – 9, 13 – 23, and 27 – 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application Publication No. 2002/0116480 (hereinafter Muto) in view of US Patent No 6,088,125 (hereinafter Okada) further in view of US Patent No. 6,666,594 (hereinafter Parry) further in view of US Patent Application Publication No. 2003/0120775 (hereinafter York) and further in view of US Patent No. 6,622,266 (hereinafter Goddard).

As per claims 1, 13 – 15, and 27 – 28, Muto teaches an image reproducing apparatus (Muto; Figure 1 Item 101) comprising an image forming part that carries out image forming and reproducing (Muto; Figure 1 Item 105, Paragraph [0040]); a data storage (Muto; Figure 1 Items 111 and 112) that stores a plurality of possible problems occurring in connection with an image forming and reproducing process, each problem being stored in association with a problem ID code (Muto; Figure 6, Paragraphs [0045], [0055], and [0056]); an acquiring unit (Muto; Figure 1 Item 106) that acquires problem information when one of the problem occurs in connection with the image forming and reproducing process (Muto; Paragraph [0040]); a communication unit that reports occurrence of one of the problems to the selected address (Muto; Figure 1 Item 113,

Paragraph [0045]); and an email creating means (Muto; Figure 1 Item 108 and 112) that creates an email to report the occurrence of one of the problems to the selected addressee and inserts the problem ID code in the subject of the email (Muto; Figure 10 Item 1004, Paragraph [0067]).

Muto does not teach wherein the data storage stores each problem in association with addressee information that is selected based on the severity of the problem and the proximity of the addressee to the image reproducing apparatus, an addressee determination unit that selects an addressee corresponding to one of the problems, a web page creating means that creates a web page containing detailed information about the problem detected in an image reporting and reproducing process, and inserting a URL of the web page in the subject of the email.

However, Okada teaches storing each problem in association with addressee information (Okada; Figure 19); and selecting an addressee corresponding to one of the problems (Okada; Figure 22 Items St137 – St144, Col 16 Lines 28 – 50).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the teachings of Muto to include the addressee information because doing so allows for error results to be conveyed to people other than a requesting node (Okada; Col 16 Lines 51 – 56).

Muto in combination with Okada does not teach that addressee information is selected based on the severity of the problem and the proximity of the addressee to the image reproducing apparatus, a web page creating means that creates a web page

containing detailed information about the problem detected in an image reporting and reproducing process, and inserting a URL of the web page in the subject of the email.

However, Parry teaches a web page creating means that creates a Web page containing detailed information about the problems detected in the image forming and reproducing process (Parry; Figure 1 Item 12; Col 8 Lines 9 – 25, Claim 22).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the teachings of Muto in combination with Okada to include the web server because doing so allows additional information to be displayed to the user as well as the whole history of printer errors (Parry; Col 8 Lines 9 – 25).

Muto in combination with Okada and Parry does not teach that addressee information is selected based on the severity of the problem and the proximity of the addressee to the image reproducing apparatus, and inserting a URL of the web page in the subject of the email.

However, York teaches inserting a URL of a web page in the body of an email notification (York; Paragraph [0032]). York also teaches that rearrangement of the embodiment, such as placing the URL in the subject field of the email and not the body field, is within the scope of the disclosure and would be obvious (York; Paragraph [0035]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the teachings of Muto in combination with

Okada and York to include the URL in the subject because doing so allows the user to access web-based management tools for the device (York; Paragraph [0033]).

Muto in combination with Okada, Parry, and York does not teach that addressee information is selected based on the severity of the problem and the proximity of the addressee to the image reproducing apparatus.

However, Goddard teaches addressee information is selected based on the severity of the problem and the proximity of the addressee to the image reproducing apparatus (Goddard; Col 3 Lines 52 – 65).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the teachings of Muto in combination with Okada, Parry, and York to include the selecting because doing so allows for different recipients to be designated for notification of different alert conditions or types (Goddard; Col 5 Lines 58 – 61).

As per claims 2 and 16, Muto also teaches wherein the forming and reproducing process includes at least one of a printing process for recording and outputting an image and a reading process for optically reading an original, and the image forming part includes at least one of a printing section that records and outputs the image, and a reading section that optically reads the original (Muto; Paragraph [0137]).

As per claims 3 and 17, Parry also teaches an error detection unit that detects errors in the printing and reading process (Parry; Figure 1 Item 23, Col 5 Lines 1 – 7).

As per claims 4 and 18, Muto also teaches the image apparatus further comprising a use information retaining unit that retains use information about the image reproducing apparatus, wherein the communication unit reports the occurrence of a problem together with the use information to the selected address (Muto; Figure 10 Item 1010, Paragraph [0069]).

As per claims 5 and 19, Muto also teaches wherein the use information contains location information representing the location of the image reproducing apparatus (Muto; Figure 10 Item 1011, Paragraph [0069]).

As per claims 6 and 20, Muto also teaches wherein the use information contains ID information for identifying the image reproducing apparatus (Muto; Figure 10 Item 1010, Paragraph [0069]).

As per claims 7 and 21, Okada also teaches wherein the data storage stores one or more addressees as addressee information, in association with one of the problems (Okada; Figure 23, Col 16 Lines 5 – 9).

As per claims 8 and 22, Okada also teaches wherein the data storage stores a user of the image reproducing apparatus in association with one of the problems (Okada; Col 16 Lines 51 – 56).

As per claims 9 and 23, Okada also teaches wherein the data storage stores an email address as the addressee information, in association with one of the problems (Okada; Figure 23, Col 16 Lines 5 – 9).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Franklin whose telephone number is (571) 272-0669. The examiner can normally be reached on M-F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fritz Fleming can be reached on (571) 272-4145. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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10/24/2006